

energy economy, which has the byproduct—the very unfortunate byproduct, I suppose—of killing the jobs of millions of Americans.

Those investment managers helping to plan the retirement of these workers should help these workers achieve their best retirement plans. That is not necessarily the goal of the Biden administration. It is not necessarily the goal of academia or the environmental activists. But it is the savers' money; it is not Joe Biden's.

There is still time for the President to rethink his veto threat. The President says he is for supporting workers. Then show it. He says he is for those who do less well in our economy. Then show it. This ESG policy will make things worse for them. Don't veto. Allow it to go through.

Supporting American workers means supporting their jobs now and supporting their retirement savings. I urge him to sign this bill.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

#### MIFEPRISTONE

Mr. WYDEN. Madam President, today, I begin an effort to provide regular updates to the Senate and the country about the devastating consequences for women in every State if Texas Judge Kacsmaryk issues a ruling banning mifepristone nationwide.

Two weeks ago, I stood on the Senate floor and laid out what has to happen if and when this decision comes down. President Biden and the Food and Drug Administration must ignore it. The Food and Drug Administration has the authority it needs to keep this medication on the market without interruption, regardless of what this ruling says.

I have already laid out the rationale for why the case is absurd, meritless, and lacks any legal standing, as well as the FDA's legal authority to ignore such a ruling.

Today, I am not going to rehash those important points. I want to discuss what I have heard over the last couple of weeks about the human cost if every woman in this country loses access to mifepristone. Republicans on the Supreme Court said that the issue of abortion ought to be returned to the States, that the country shouldn't have a "one size fits all" policy on this subject that is so essential to protecting the privacy rights of women in our country.

I am going to talk about the States for a minute or two.

My home State of Oregon has some of the strongest protections for reproductive health in the Nation. Abortion is legal. If you have health insurance, it

is required to cover this critical priority. If you don't, you can still access care. There are no waiting periods. You can get abortion medication via telemedicine and by mail, something that is crucial in large States and small States with very large rural populations, like mine. In fact, despite the dangerous Dobbs decision, access to reproductive care has been expanding in Oregon, partially to accommodate women traveling from nearby States whose own home State laws deny them this critical right to privacy.

Oregon has leaders like Governor Tina Kotek and Attorney General Ellen Rosenblum fighting to keep mifepristone legal and accessible to women in our State. I am proud to come from a State where the law reflects the fact that a woman's right to privacy is paramount and a woman's right to choose is hers and hers alone.

But if the plaintiffs and the anti-abortion activists prevail in that case in Texas, everything changes—everything changes—for the people facing important reproductive decisions every day and everywhere in the United States. We are talking about every single State—every one.

Despite strong laws on the books, women in my State of Oregon stand to lose mifepristone, a drug that is used now in more than 50 percent of abortions. So much for the idea of States' rights. All that talk about returning abortion law to the States is just going straight out the window.

I have said it before, and I will repeat it here. So often, the Republican Party often seems concerned about the States' rights only when they think a State is right. Otherwise, they seem happy to take over and tell the States what to do. Well, the people I am honored to represent, Oregonians, don't appreciate that selective application of their philosophy, but here it is.

Because of one judge, handpicked by Donald Trump, in the 16th largest city in Texas, there is serious potential that soon Americans, from one side of the country to the other and everywhere in between, will no longer be able to access the safest, most effective, and most relied on form of abortion care.

This is not leaving decisions to the States, like the U.S. Supreme Court told us would happen back in June.

Look at the Dobbs decision. That was the very foundation of the Dobbs decision. And, no shock to anybody, that is not what is being seen today. Here is what is going to ensue when the reckless decision in Texas comes down. We know that providers are already being stretched very thin. They are harassed and subject to vile threats. They are going to be thrown into a landscape of chaos and confusion.

Over the last few months, I have heard nonstop from these heroic medical professionals in my State. They worry there will be lines out the doors of women needing help. They worry about long wait times for the women

who are fortunate enough to eventually receive in-person care. They worry about the women who will never make it to a doctor's office because they live in a rural county or lack the means to make the journey that will now be necessary to receive abortion care. They worry about what will happen next. When will another judge in another State that looks nothing like Oregon make it so that these providers are not able to treat women seeking to exercise their privacy rights?

This is not some far-fetched slippery slope. It is happening now—now—right in front of our eyes.

Women have relied on mifepristone for more than 20 years. I held the first congressional hearing on this drug in 1990, when I was a Member of the other body. And finally—finally—there has been access to this drug, and it provides freedom to women to make their own private medical decisions and face far less stigma. That fundamental right is potentially about to be further gutted.

This is America. Aren't we for freedom—freedom to determine our own lives and futures, freedom to decide whether and when to have a family?

We have heard lots of horror stories of life before Roe. There are too many people with immense power in this country who tragically want to yank America back to those times. I doubt those people have given a moment's consideration to the danger women face when a pregnancy goes wrong, how their lives can be at risk.

This is about women's health and survival. This is about control over their lives, control over their bodies. It is about depriving Oregonians and women everywhere of their fundamental right to privacy.

I am here to say that, unfortunately, these anti-abortion activists aren't going to stop until abortion in every form and in every State is simply banned. The need to control women's bodies is not going to end at attacking mifepristone, which I would say, as I did earlier, has a long record—a long record—grounded not in political rhetoric but in scientific evidence for being safe and effective.

It will not end with the topic of abortion either. Rightwing extremists are coming after access to reproductive healthcare more broadly. Some lawmakers and their allies have filed legislation and lawsuits to block access to birth control—birth control.

I remember the President of the Senate helping us in this body to champion for so many years those priorities. And now we have legislation to block access to birth control, lifesaving cancer screenings, HIV prevention. The list goes on.

As these attacks go forward, we also know who is going to be hurt the most—people of modest means, people in rural areas, people of color, immigrants, LGBTQ Americans.

I said it 2 weeks ago when I was on the floor to discuss the case, I will say

it again: Enough, enough, enough. No more sitting back and just letting things happen. I don't want to be back here in a few days, but I fear that will be the case.

Let me talk about political change. Ever since the days when I was director at the Gray Panthers, the senior citizens group, I always said political change rarely starts here in Washington, DC, and trickles down. It starts at the grassroots level. What we really need now is a nationwide mobilization to protect a woman's right to privacy and the right to make these choices for herself. What I would like to ask today, for everybody who shares that view, is to go on out there and keep mobilizing. Talk to your city council member, talk to your mayor, talk to your State legislator, talk to anybody who has an election certificate about how important this is to you. Momentum is needed more now than ever to ensure that mifepristone stays legal and accessible.

I will close with this. The FDA, using the authority it already has, needs to keep mifepristone on the market without any interruption, regardless of Judge Kacsmaryk's ruling. And we the people need to mobilize in Oregon, in Michigan, in Florida, and in every nook and cranny of the Nation.

#### TRIBUTE TO JENNI KATZMAN

Madam President, before I yield the floor, just a note of thanks to Jenni Katzman, who has been in our office and her last day in the Senate, sadly, is today.

She served our office as chief of domestic policy and general counsel for the past 3 years, and she is moving on, always giving public service a good name.

It has been a pleasure to work with her to assist the people of Oregon and our country. During the time she has been with us, she assisted with the confirmation of stellar judges from my State, written legislation to make our judicial system more fair, and provided very valuable counsel to me and my staff.

I want to close, as we wrap up what is going to be an effort on my part to provide regular updates on the consequences of what will happen if this judge in Texas puts in place a nationwide ban—nationwide, every single State. I hope I don't have to come to the floor again and again and again. But I think it is important that people understand, as I have learned in the last couple of weeks, what the human consequences are of going backward here, after the Court said that there wouldn't be a nationwide ban, after they said it repeatedly that it is going to go to the States. It would be a huge mistake for America.

I want to also note that the President of the Senate has been the leader of this cause for many, many years. I admire her greatly for that leadership.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 31.

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDENT pro tempore. The clerk will report the nomination.

The bill clerk read the nomination of Robert Stewart Ballou, of Virginia, to be United States District Judge for the Western District of Virginia.

#### CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 31, Robert Stewart Ballou, of Virginia, to be United States District Judge for the Western District of Virginia.

Charles E. Schumer, Richard J. Durbin, Catherine Cortez Masto, Sheldon Whitehouse, Sherrod Brown, Margaret Wood Hassan, Raphael G. Warnock, Gary C. Peters, Jack Reed, Christopher A. Coons, Brian Schatz, Tina Smith, Ben Ray Lujan, Elizabeth Warren, Martin Heinrich, Christopher Murphy, Tammy Baldwin, Alex Padilla.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 42.

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDENT pro tempore. The clerk will report the nomination.

The bill clerk read the nomination of Andrew G. Schopler, of California, to be United States District Judge for the Southern District of California.

#### CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 42, Andrew G. Schopler, of California, to be United States District Judge for the Southern District of California.

Charles E. Schumer, Richard J. Durbin, Alex Padilla, Tim Kaine, Margaret Wood Hassan, Ben Ray Lujan, Raphael G. Warnock, Tammy Duckworth, Jack Reed, Sheldon Whitehouse, John W. Hickenlooper, Catherine Cortez Masto, Tammy Baldwin, Brian Schatz, Christopher Murphy, Tina Smith, Debbie Stabenow.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 43.

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDENT pro tempore. The clerk will report the nomination.

The bill clerk read the nomination of Arun Subramanian, of New York, to be United States District Judge for the Southern District of New York.

#### CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 43, Arun Subramanian, of New York, to be United States District Judge for the Southern District of New York.

Charles E. Schumer, Richard J. Durbin, Jeff Merkley, Jeanne Shaheen, Elizabeth Warren, Sheldon Whitehouse, Richard Blumenthal, Christopher A. Coons, Jack Reed, Alex Padilla, Gary